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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,671	11/13/2000	Greg S. Westrick	052156.031	7806

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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

Office Action Summary	Application No. 09/711,671	Applicant(s) WESTRICK, GREG S.	
	Examiner Ella Colbert	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-31 are pending. Claim 31 has been added in this response filed 01/07/05 entered as Response to Non-Final Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over (W0 99/63454) Hitchcock et al, hereafter Hitchcock.

As per claim 1, Hitchcock teaches, A system for administering an on-line financial-aid service for a plurality of post-high school education facilities, comprising: a centralized computer server operatively coupled to a computer network; a plurality of school computer servers for a plurality of post-high school education facilities operatively coupled to the computer network (page 5, lines 16-18); and at least one user computer operatively coupled to the computer network (page 5, line 18 –page 6, line 4), the user computer being a computer of a borrower taken from a group consisting of a prospective student, an existing student, a parent of a prospective student and a parent of an existing student; each school computer server including a Web-site software program providing a graphical user interface representing a Web-site for the respective post-high school education facility on the computer network (page 6, line 5 –page 7, line 19, fig. 6d and Fig. 8c and 8d –financial aid), the Web-site graphical user interface

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including an address link for connecting the user computer to the centralized computer server (page 8, lines 20-28, page 10, lines 12-19, and page 11, lines 4-18); the centralized computer server including a financial-aid-service software program providing a school-access graphical user interface accessible by each of the post-high school education facilities and a student-access customizable graphical user interface for each of the post-high school education facilities, accessible by the borrower; the school-access graphical user interface providing at least one form including fields for customizing the content and operation of the corresponding student-access graphical user interface; and each student-access graphical user interface providing at least financial-aid information to the borrower (page 12, line 12 –page 13, line 8). Hitchcock did not expressly disclose financial aid. However, Hitchcock does discuss institutions and financial aid application submission in Fig. 8d.

As per claim 2, Hitchcock teaches, The system of claim 1, wherein the student-access graphical user interface provides financial-aid services to the borrower in addition to the financial-aid information (page 12, lines 21-27, page 20, lines 9-14 and page 22, lines 10-25).

4. Claims 3-17 and 19-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchcock in view of (US 5,745,885) Mottola et al, hereafter Mottola.

As per claim 3, Hitchcock failed to teach, The system of claim 2, wherein the financial-aid information and services provided by the student-access graphical user

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interface includes federally required financial-aid education information. Mottola teaches, wherein the financial-aid information and services provided by the student-access graphical user interface includes federally required financial-aid education information (col. 1, lines 19-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the financial-aid information and services provided by the student-access graphical user interface includes federally required financial-aid education information and to modify in Hitchcock because such a modification would allow Hitchcock to have student loan plans that include federally subsidized loans for education.

As per claim 4, Hitchcock and Mottola failed to teach, The system of claim 3, wherein the student-access graphical user interface includes a monitor program determining whether the borrower has accessed the federally required financial-aid information, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the student-access graphical user interface include a monitor program determining whether the borrower has accessed the federally required financial-aid information and to modify in Hitchcock because such a modification would allow Hitchcock to have an on-line system that will notify the user when the user has accessed the forms for a federally required student loan because there are subsidized and unsubsidized federal loans.

As per claim 5, Hitchcock failed to teach, The system of claim 4, wherein the monitor program is programmed to provide data to the corresponding post-high school education facility concerning the borrower's access to the federally required financial-aid

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information. Mottola teaches, wherein the monitor program is programmed to provide data to the corresponding post-high school education facility concerning the borrower's access to the federally required financial-aid information (col. 3, line 51- col. 4, line 25). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the monitor program is programmed to provide data to the corresponding post-high school education facility concerning the borrower's access to the federally required financial-aid information and to modify in Hitchcock because such a modification would allow Hitchcock to have a funding program that would provide information to an education facility to indicate the student plans to attend college and to borrow money for college under a federal financial aid program.

As per claims 6 and 25, Hitchcock failed to teach, The system of claim 5, wherein the monitor program includes a test for testing the borrower's knowledge of the federally required financial-aid information and the monitor program is programmed to notify the corresponding post-high school education facility of the borrower's test results. Mottola teaches, wherein the monitor program includes a test for testing the borrower's knowledge of the federally required financial-aid information and the monitor program is programmed to notify the corresponding post-high school education facility of the borrower's test results (col. 5, lines 30-41 and fig. 6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the monitor program include a test for testing the borrower's knowledge of the federally required financial-aid information and the monitor program is programmed to notify the corresponding post-high school education facility of the borrower's test results and to

modify in Hitchcock because such a modification would allow Hitchcock to have the student complete the application and the various criteria responses are then extracted from the application and a score is computed for the student's knowledge of the subject matter.

As per claims 7 and 26, Hitchcock failed to teach, The system of claim 6, wherein the form provided by the school-access graphical user interface includes a field to allow the operation of the test to be selected. Mottola teaches, wherein the form provided by the school-access graphical user interface includes a field to allow the operation of the test to be selected (col. 5, line 42-col. 6, line 18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the form provided by the school-access graphical user interface include a field to allow the operation of the test to be selected and to modify in Hitchcock because such a modification would allow Hitchcock to have a test taking form for an institution to access by selecting a button on the computer screen or through a drop-down menu.

As per claim 8, Hitchcock failed to teach, The system of claim 1, wherein the financial-aid information provided by the student access graphical user interface includes information pertaining to financial-aid products. Mottola teaches, wherein the financial-aid information provided by the student access graphical user interface includes information pertaining to financial-aid products (col. 1, lines 19-26). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the financial-aid information provided by the student access graphical user interface includes information pertaining to financial-aid products and to modify in

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Hitchcock because such a modification would allow Hitchcock to have several different student loan plans that allow a student to finance the cost of an education.

As per claim 9, Hitchcock failed to teach, The system of claim 8, wherein the financial-aid-service software program is provided by a proprietor of financial-aid products, and the information pertaining to financial-aid products is preloaded with information pertaining to the financial-aid products of the proprietor. Mottola teaches, wherein the financial-aid-service software program is provided by a proprietor of financial-aid products, and the information pertaining to financial-aid products preloaded with information pertaining to the financial-aid products of the proprietor (col. 1, lines 42-63). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the financial-aid-service software program is provided by a proprietor of financial-aid products, and the information pertaining to financial-aid products is preloaded with information pertaining to the financial-aid products of the proprietor and to modify in Hitchcock because such a modification would allow Hitchcock to have the availability of low-interest funds for the financing of an education and information on the products available for this purpose.

As per claim 10, Hitchcock teaches, The system of claim I, wherein the form provided by the school-access graphical user interface includes a field to allow each post-high school education facility to enter a school color and an image pertaining to the school, and the student-access graphical user interface including the school color and image to project to the borrower an association the post-high school education facility
Page 6, line 27- page 7, line 12 and lines 20-25, and fig. 2).

As per claims 11 and 22, Hitchcock teaches, The system of claim 1, wherein the school access graphical user interface includes at least one field for customizing the operation of at least one of a group consisting of an electronic newsletter service, a required student training service, a financial-aid qualification service, a financial-aid award notification service, a financial-aid product information service, a financial aid provider information service, and a database record-keeping and reporting service (page 14, line 6-10 and page 20, lines 5-14).

As per claim 12, Hitchcock teaches, The system of claim 1, wherein the school access graphical user interface includes at least one field for customizing the operation of a financial-aid award notification service (page 20, lines 3-18).

As per claim 13, Hitchcock teaches, The system of claim 1, further comprising a database accessible by the centralized computer server, wherein the financial-aid-service software program is programmed to create a record for each post-high school education facility that registers with the school-access graphical user interface, the record containing customized content and operation selections made by the post-high school education facility (page 25, lines 3-30).

As per claim 14, this dependent claim is rejected for the similar rationale as given above for claim 13.

As per claim 15, Hitchcock teaches, The system of claim 14, wherein the financial-aid-service software program is further programmed to store data regarding actions taken by borrowers interfacing with the student access graphical user interface (page 22, lines 4-25).

As per claim 16, this dependent claim is rejected for the similar rational as given above for claim 15.

As per claim 17, Hitchcock teaches, The system of claim 13, wherein the financial-aid-service software program includes a plurality of customizable template modules for the student-access graphical user interface, the template modules being customized with the customized content and operation selections made by the post-high school education facility registered with the school-access graphical user Interface (page 17, line 21 –page 19, line 28).

As per claim 19, Hitchcock teaches, The method of claim 18, further comprising the steps of storing the content and operation entries given by the representative of the post-high school education facility in a record associated with the post-high school education facility in a database, wherein the customizing step includes a step of accessing the stored content and operation entries from the record associated with the post-high school education facility (page 10, line 12 –page 11, line 3).

As per claim 20, Hitchcock teaches, The method of claim 19, further comprising the step of accessing the school-access graphical user interface by a plurality of representatives from a respective plurality of post –high school education facilities, wherein the prompting and customizing steps are performed for each of the plurality of post-high school education facilities (page 9, lines 5-11).

As per claim 21, Hitchcock teaches, The method of claim 20, wherein: the student-access graphical user interface is accessible as a Web site on the Internet; and

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the school-access graphical user interface is accessible as a Web-site on the Internet (page 7, line 20 – page 8, line 28).

As per claim 23, Hitchcock failed to teach, The method of claim 18, further comprising the step of providing at least one financial-aid service by the student-access graphical user interface. Mottola teaches, providing at least one financial-aid service by the student-access graphical user interface (col. 1, lines 19-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide at least one financial-aid service by the student-access graphical user interface and to modify in Hitchcock because such a modification would allow Hitchcock to have access to one of the many financial-aid services (Stafford Loan Program, Perkins Loan Program, SLS, and Plus) available.

As per claim 24, Hitchcock failed to teach, The method of claim 23, wherein the financial-aid service is taken from a group consisting of a financial-aid education service, a financial-aid qualification service, a financial-aid award notification service, a financial-aid product information service, and a financial-aid provider information service. Mottola teaches, wherein the financial-aid service is taken from a group consisting of a financial-aid education service, a financial-aid qualification service, a financial-aid award notification service, a financial-aid product information service, and a financial-aid provider information service (col. 1, lines 19-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the financial-aid service taken from a group consisting of a financial-aid education service, a financial-aid qualification service, a financial-aid award notification service, a

financial-aid product information service, and a financial-aid provider information service and to modify in Hitchcock because such a modification would allow Hitchcock to provide all of the services that are needed when a student applies for financial-aid.

As per claim 27, this dependent claim is rejected for the similar rationale as given above for claims 6 and 7.

As per claim 28, Hitchcock failed to teach, The method of claim 27, further comprising the step of providing a display by the student-access graphical user interface indicating the individual's relative progress in the financial-aid education service. Mottola teaches, providing a display by the student-access graphical user interface indicating the individual's relative progress in the financial-aid education service (col. 5, line 30-col. 6, line 31). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a display by the student-access graphical user interface indicating the individual's relative progress in the financial-aid education service and to modify in Hitchcock because such a modification would allow Hitchcock to know what the student's score is at certain stages of the application process and to know how close the student is to completing the financial-aid process.

As per claim 29, Hitchcock teaches, The method of claim 23, wherein: the financial-aid service is at least one of a financial-aid product information service and a financial-aid product application service; the student-access graphical user interface and the school-access graphical user interface are provided by a proprietor of a financial-aid product (page 20, lines 9-16 and page 27, lines 27-30).

This dependent claim is rejected for the similar rationale as given above for claim 9.

As per claim 30, this dependent claim is rejected for the similar rationale as given above for claim 10.

As per claim 31, this dependent claim is rejected for the similar rationale as given above for claims 11, 22 and 24

Response to Arguments

5. Applicant's arguments filed 01/07/05 have been fully considered but they are not persuasive.

Issue no. 1: Applicant argues: Hitchcock is deficient of any pertinent teachings with respect to the provision of financial-aid services via an online system and Hitchcock does not teach a system for administering an on-line financial-aid service for a plurality of post-high school education facilities has been considered but it not persuasive.

Response: In response to applicant's arguments, the recitation "a system for administering an on-line financial-aid service for a plurality of post-high school education facilities" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). It is suggested that if Applicant wants to claim

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“administering an on-line financial-aid service for a plurality of post-high school education facilities” that Applicant add this step to the body of the claim.

Issue no. 2: Applicant argues: Applicant has not found any teaching in Hitchcock for a system that includes a school-access graphical user interface that provides a form including fields for customizing the content and operation of a corresponding student-access graphical user interface has been considered but is not persuasive. Response: In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., “a school-access graphical user interface that provides a form including fields for customizing the content and operation of a corresponding student-access graphical user interface”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The limitation argued is not interpreted as being suggested or disclosed in the claim language. Hitchcock does teach a Web-site software program providing a graphical user interface on page 6, lines 15-18. A graphical user interface by definition is a way of communicating with the computer by manipulating icons (pictures) and windows with a mouse. Hitchcock shows icons in figure 3 that can be clicked on which indicates the presence of a mouse even though a mouse is not shown in the drawing but teaches “radio buttons” on page 12, line 1 and a “save and send” button (icon) on page 29, line 25.

Issue no. 3: Applicant argues: Applicant has not found any teaching in Hitchcock for a system that includes a school-access graphical user interface that provides a form including fields for customizing the content and operation of a corresponding student-access graphical user interface has been considered but is not persuasive. The graphical user interface has been addressed above in issue no. 2. It is interpreted that Hitchcock teaches fields on page 12, line 12 –page 13, line 8. Hitchcock specifically teaches fields on page 12, lines 12-15 and lines 27-29.

Issue no. 4: Applicant argues: If the Examiner intends to maintain the rejection on Hitchcock, the Applicant requests that the Examiner specifically point out the language in Hitchcock where the teaching for the claimed school-access graphical user interface is contained has been considered but is not persuasive. This has been addressed above in Issue no. 2.

Issue no. 4: Applicant argues: The cited passage of Mottola merely identifies different types of loan plans that have been used in the past and there is no mention made of a student-access graphical user interface providing federally required financial-aid information has been considered but is not persuasive. Response: It is interpreted that Mottola teaches a student-access graphical user interface providing federally required financial-aid information because Mottola does teach federally funded student loans in col. 1, lines 19-26 and input devices –col. 11, lines 44 and 45 and col. 12, lines 50 and 51 and a CRT display terminal 26 –col. 11, lines 43-45 and lines 54-63.

Issue no. 5: Applicant argues: There is no mention made of testing a student's knowledge of federally required financial-aid information and Mottola does not teach

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providing information on financial-aid information to students has been considered but is not persuasive. Response: It is well known in the art of student loans that the Federal Loan programs provided to students are those in Mottola in col. 1, lines 19-26. Mottola further discloses providing a higher education funding plan in col. 2, lines 20-60).

Issue no. 6: Applicant argues: Hitchcock does not teach that the school itself loads such information as a field to allow each post high school education facility to enter a school color and an image through use of an on-line form has been considered but is not persuasive. Response: In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the school itself loads such information as a field to allow each post high school education facility to enter a school color and an image through use of an on-line form) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It is not interpreted that claim 10 discloses or suggests the school itself loads such information as a field to allow each post high school education facility to enter a school color and an image through use of an on-line form.

Issue no. 7: Applicant argues: Neither Hitchcock nor Mottola teach an electronic newsletter service or required student training service has been considered but is not persuasive. Response: Claim 31 has similar limitations as claims 11, 22, and 24 and has therefore been rejected accordingly.

Conclusion: In this rejection of claim 1 and others, for example under Section 103 (a) of Title 35 of the United States Code, the Examiner carefully drew up a correspondence between the Applicants' claimed limitations and one or more referenced passages in the Hitchcock and Mottola references, what is well known in the art, and what is known to one having ordinary skill in the art (the skilled artisan). The Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the Specification (see below):

2111 Claim Interpretation; Broadest Reasonable Interpretation [R-1]

>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).<

Applicant is respectfully requested to point out to the examiner and in the independent claims the inventive concept of the invention and to distinctly and clearly claim that inventive concept in the claim language.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Maggioncalda et al (WO 99/30261) disclosed a user interface financial advisory system.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

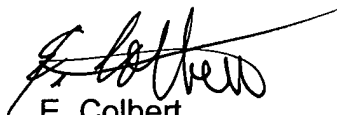
Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'E. Colbert', with a long horizontal stroke extending to the right.

E. Colbert
April 02, 2005